

120 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-8258-2022

Date of Decision: 22.04.2022

Tarbhawan Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. B.S. Bali, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, prayer of the petitioners is for directing the respondents to release the amount of FDRs maintained by them (Annexures P-3 to P-13) as well as the amount lying in their savings accounts along with the interest up to date to them which amount is lying with the respondent No.4-Society.

Learned counsel for the petitioners argues that in the present case, the office bearer of respondent No.4-Society allured the petitioners to deposit their hard earned money by way of FDRs with respondent No.4-Society, so as to get higher rate of interest and the petitioners deposited the money with respondent No.4-Society, but now despite the fact that the term of the FDRs maintained by the petitioners (Annexures P-3 to P-13) have matured, the amount in question is not being released to the petitioners and prayer of the petitioners in this petition is for directing respondent No.4-

Society to release the amount of FDRs maintained by the petitioners with

respondent No. 4-Society as the said FDRs have already been matured for release.

Learned counsel for the petitioners submits that the petitioners have also raised the same grievance before respondent No.3, by filing representation dated 08.02.2022 (Annexure P-14) to take action against respondent No.4-Society, as the Society has defaulted in release of the amount, which representation is still pending consideration with the authorities concerned and the petitioners will be satisfied at this stage, in case a time bound direction is given to respondent No.3 to decide the said representation dated 08.02.2022, by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, keeping in view the advance service of the copy of petition, accepts notice on behalf of respondent No.1 and raises no objection, in case prayer made hereinbefore on behalf of the petitioners for deciding the representation dated 08.02.2022 (Annexure P-14) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioners in the present case as well as in the representation dated 08.02.2022 (Annexure P-14), this petition is disposed of with a direction to the respondent No.3 to pass an appropriate speaking order on the representation dated 08.02.2022 (Annexure P-14), filed by the petitioners, within a period of eight weeks from the date of receipt of the copy of this order.

It is made clear that respondent No.3 will ensure the presence of the office bearer of respondent No.4-Society at the time of passing of the said order, so as to record their defence with regard to the claim of the

petitioner, as being raised in the present petition and the representation
(Annexure P-14).

22.04.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : No